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19 IN THE UNITED STATES DISTRICT COURT  
 20  
 21 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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 28 **STATE OF CALIFORNIA, STATE OF  
 COLORADO, STATE OF DELAWARE,  
 COMMONWEALTH OF  
 MASSACHUSETTS, STATE OF NEW  
 JERSEY, STATE OF NEW MEXICO,  
 STATE OF NEW YORK, STATE OF  
 OREGON, STATE OF RHODE ISLAND,  
 STATE OF VERMONT, and STATE OF  
 WASHINGTON,**

Plaintiffs,

v.

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 38 **UNITED STATES OF AMERICA, U.S.  
 ENVIRONMENTAL PROTECTION  
 AGENCY, LEE ZELDIN, in his official  
 capacity as Administrator of the U.S.  
 Environmental Protection Agency, and  
 DONALD J. TRUMP, in his official capacity  
 as President of the United States,**

Defendants.

Case No. 4:25-cv-04966-HSG

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1 Plaintiffs State of California et al. (“Plaintiff States”) respectfully submit this opposition to  
 2 Proposed Amici Curiae Truck Renting and Leasing Association et al.’s (“Amici”) Motion for  
 3 Leave to File An Amicus Curiae Brief In Support of Defendants’ Motion to Dismiss filed on  
 4 September 26, 2025 (“Motion”). ECF No. 139.

5 In their Motion, Amici seek leave of this Court to file a brief supporting the pending motion  
 6 to dismiss filed by Defendants United States et al. on September 19, 2025 (ECF No. 118). ECF  
 7 No. 139. However, Plaintiff States have notified the Court and parties of their intention to file an  
 8 amended complaint as of right under Federal Rule of Civil Procedure 15(a)(1)(B). ECF No. 151.  
 9 The amended complaint will supersede the original complaint and therefore render the pending  
 10 motion to dismiss moot. *Ramirez v. Cnty. of San Bernardino*, 806 F.3d 1002, 1008 (9th Cir.  
 11 2015); *Reckstin Fam. Tr. v. C3.ai, Inc.*, No. 22-CV-01413-HSG, 2025 WL 490470, at \*1 (N.D.  
 12 Cal. Feb. 13, 2025); *see* ECF No. 151. Because the underlying motion to dismiss that Amici seek  
 13 to support is moot, so is Amici’s request and it should be denied without a hearing.<sup>1</sup>

14 For these reasons, Plaintiff States oppose Amici’s Motion.

15  
 16 Dated: October 10, 2025

Respectfully submitted,

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24 (Additional signatures below)

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 28 <sup>1</sup> The Motion was re-noticed and set for hearing on November 20, 2025. ECF No. 144.

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21 Pursuant to Local Rule 5-1(i), I attest that all signatories to this document concurred in its filing.

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